AIR QUALITY PERMIT

ISSUED TO

FREEPORT MINERALS CORPORATION

TECHNOLOGY CENTER - TUCSON
3350 E. VALENCIA ROAD
TUCSON, AZ 85706

This air quality permit does not relieve applicant of responsibility for meeting all air pollution regulations

THIS PERMIT ISSUED SUBJECT TO THE GENERAL AND SPECIFIC CONDITIONS IDENTIFIED IN THIS PERMIT

PDEQ GENERAL PERMIT NUMBER 6154
PERMIT EFFECTIVE: October 1, 2018
PERMIT CLASS II
EXPIRATION DATE: September 30, 2023

Rupesh Patel, Air Program Manager, PDEQ
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SUMMARY

Location Information

This air quality permit is issued to Freeport Minerals Corporation’s for the Technology Center – Tucson facility located at 3350 E. Valencia Road, Tucson, AZ 85706. The facility is an existing source located on the Pima County parcel identified by Pima County Assessor’s Parcel # 140-41-009A.

Source Description

All pollutant-emitting activities (operations) at the facility fall under the following SIC Code:

- 8734 (NAICS 541380)

The facility is a research and development in support of mining operations that provides analysis of copper ore, copper cathodes, mill products, concentrates, and other samples. The facility conducts sample preparation and analyses including drying, crushing, splitting and pulverizing capabilities as well as wet chemistry analysis. The TCT facility includes the following areas: process development, mineral processing, an analytical lab, a mineralogy lab, an environmental technology lab, a wastewater treatment unit, and a utility and boiler room.

Most of the equipment and operation areas are involved in research and development and are not otherwise subject to any federal regulations, falling into the category of trivial or insignificant activities under Title 17 of the Pima County Code (PCC). Moreover, even if not classifiable as insignificant activities, these are not process equipment and therefore a potential to emit (PTE) is impractical to calculate based on the infrequent nature of use, and there is no end product produced other than analysis results.

The applicable emission sources at the facility that require the facility to obtain an air quality permit in accordance with PCC 17.11.090 are the two emergency generators with a combined capacity of 3000 hp, and two boilers with a combined capacity of 8.59 MMBtu/hr.

Air Quality Permit Information

This is the second 5-year air quality permit issued to the source.

The following table summarizes the potential to emit of the source. These emission values are taken from the emission standards and/or Air Pollutant Emission Factors compiled in US EPA’s AP-42.

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<th>NSPS</th>
<th>HAPs</th>
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1 Boiler PTE is calculated on unlimited operation when firing natural gas. Emergency generator engine PTE is calculated from maintenance, readiness testing and non-emergency use limitations (100 hour/year). Emergency generator operation during true emergencies is not limited by the permit.
1. **Compliance with Permit Conditions**
   
   a. The Permittee shall comply with all conditions of this permit including all applicable requirements of Arizona air quality statutes and Pima County air quality rules. Any permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application. In addition, noncompliance with any federally enforceable requirement constitutes a violation of the Clean Air Act.

   b. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. **Excess Emissions, Emergency Reporting**

   The Permittee shall report to the Control Officer any emissions in excess of the limits established by this permit. The report shall be in 2 parts as specified below:

   a. Notification by telephone or facsimile within 24 hours of the time the Permittee first learned of the occurrence of excess emission that includes all available information from PCC 17.13.190.B. The number to report excess emissions is 520-724-7400. The facsimile number is 520-838-7432.

   b. Detailed written notification by submission of an excess emissions report within 72 hours of the notification under 2.a above. Send to PDEQ 33 N. Stone Avenue, Suite 700, Tucson, Arizona 85701 or e-mail to air.permits@pima.gov.

3. **Property Rights**

   The permit does not convey any property rights of any sort, or any exclusive privilege to the permit holder.

4. **Fee Payment**

   The Permittee shall pay fees to the Control Officer pursuant to PCC 17.13.240.

5. **Permit Revision, Reopening, Revocation and Reissuance, or Termination for Cause**

   The permit may be revised, reopened, revoked and reissued, or terminated for cause pursuant to PCC 17.13.150. The filing of a request by the Permittee for a permit revision, revocation and reissuance, or termination; or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

6. **Duty to Provide Information**

   a. The Permittee shall furnish to the Control Officer, within a reasonable time, any information that the Control Officer may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the Control Officer copies of records required to be kept by the permit. For information claimed to be confidential, the Permittee shall furnish a copy of such records to the Control Officer along with a claim of confidentiality.

   b. If the Permittee has failed to submit any relevant facts or if the Permittee has submitted incorrect information in the permit application, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.

7. **Severability Clause**

   The provisions of this permit are severable. If any provision of this permit is held invalid, the remainder of this permit shall not be affected thereby.
§1 - General Applicability

SPECIFIC CONDITIONS

[References are to Title 17 of the Pima County Code [PCC] unless otherwise noted]

§1 – GENERAL APPLICABILITY

8. Statutory Authority

Emissions from the facility, specifically the emissions from the equipment and operations described in the equipment list which fall under SIC Code 8734 are subject to enforceable limitations in the Specific Conditions of this permit. This permit is issued pursuant to (ARS) §49-480 and authorizes the construction and/or operation of the equipment and operations enumerated in the permit equipment list. This authorization is based on the regulations in effect on the date of issuance of this permit, and a finding that the allowable emissions from the facility, specifically the emissions from the equipment and operations more fully described in the application for coverage under this permit do not constitute a "major source" within the meaning of PCC 17.04.340.A.128. Compliance with the conditions of this permit shall be deemed to be compliant with any applicable requirements identified in this permit as of the date of permit issuance. Notwithstanding the above findings, this permit shall not relieve the Permittee from compliance with all local, county, state and federal laws, statutes, and codes.

9. Permit Classification

Class II; True Minor Source; Stationary: The permitted facility sources constitute a true minor stationary source of criteria pollutants and an area source of Hazardous Air Pollutants (HAPs), when considering the operating and emission limitations in this permit and emissions from other sources at the facility aggregated under the same SIC Code (8734).

10. Facility Sources

The Specific Conditions contained in this permit apply to the facility and equipment and/or operations listed in the equipment list in Attachment 3 that fall under the categories listed below. Refer to §5 of this permit for the specific applicability criteria that relate to the authorized facility sources. Attachment 4 contains a list of insignificant activities.

a. Boiler(s)
b. Internal Combustion Engine(s) - (Emergency Generators)

11. Permit Sections

The Specific Conditions have been organized into the following permit sections:

§1 – General Applicability (This section);
§2 – Facility-Wide Operations
§3 – Fossil Fuel Fired Industrial and Commercial Equipment
§4 – NESHAP for CI RICE – (Emergency Designated Engines)
§5 – Specific Applicability

12. Applicability of more than one standard

If more than one emission limit or emission standard in this permit is applicable to the same source, the more stringent standard or emission limit shall apply. [Locally Enforceable Condition]
§2 – FACILITY-WIDE OPERATIONS

In accordance with condition 46.a, the provisions in this section apply to facility-wide operations and all sources of air contaminants at the facility. All provisions in this section are locally enforceable unless otherwise noted.

Emission Limitations and Standards

13. Operating Hours

There are no restrictions on the operating or business hours for the Technology Center facility. The Permittee shall comply with the equipment operating limitations in §3 and §4 of this permit.

14. General Control Standards

a. The Permittee shall not cause or permit the planning, construction, installation, erection, modification, use or operation of an emission source which will cause or contribute to a violation of a performance standard.

b. The Permittee is prohibited from firing high sulfur oil in any stationary or portable source located at the facility. Notwithstanding the prohibition to use high sulfur oil, the Specific Conditions contained in this permit may prescribe lower fuel sulfur content limits for specific stationary sources.

15. Materials and VOC Handling

a. Materials including solvents or other volatile compounds, paints, acids, alkalies, pesticides, fertilizers and manure shall be processed, stored, used and transported in such a manner and by such means that they will not evaporate, leak, escape or be otherwise discharged into the ambient air so as to cause or contribute to air pollution. Where means are available to reduce effectively the contribution to air pollution from evaporation, leakage or discharge, the installation and use of such control methods, devices, or equipment shall be mandatory.

b. Petroleum liquid storage tanks shall be equipped with a submerged filling device or acceptable equivalent for the control of hydrocarbon emissions.

c. The Permittee shall not transport or store volatile organic compounds (VOC’s) without taking necessary and feasible measures to control evaporation, leakage, or other discharge into the atmosphere.

d. All pumps and compressors which handle VOC’s shall be equipped with mechanical seals or other equipment of equal efficiency to prevent the release of organic contaminants into the atmosphere.

16. Odor

The Permittee shall not emit gaseous or odorous materials from equipment, operations or premises under his control in such quantities or concentrations as to cause air pollution. Malodourous matter shall include but not be limited to materials in condition 15.a.
17. **Opacity**

[Federally Enforceable When Opacity Is Above 40%]

a. The opacity of an emission from **any nonpoint source** shall not exceed 20%. [PCC 17.16.050.B.2]

b. Except as otherwise specified in the Specific Conditions, or the Table in Attachment 2, the average optical density of plumes and effluents from a single point, multiple emission point, or fugitive emission source shall not exceed 20% opacity. [PCC 17.16.040 & PCC 17.16.130.B.1]

c. Opacities (optical densities), as measured in accordance with Method 9 or as otherwise provided in this permit, of an effluent shall be measured by a certified visible emissions evaluator with his/her natural eyes or with certified equipment, approximately following the procedures which were used during his/her certification, or by an approved and precisely calibrated in-stack monitoring instrument. [PCC 17.16.040.A.1]

d. A violation of an opacity standard shall be determined by measuring and recording a set of consecutive, instantaneous opacities, and calculating the arithmetic average of the measurements within the set unless otherwise noted in this permit. The measurements shall be made at approximately fifteen-second intervals for a period of at least six minutes, and the number of required measurements shall be as specified in Attachment 2 to this permit. Sets need not be consecutive in time, and in no case shall two sets overlap. If the average opacity of the set of instantaneous measurements exceeds the maximum allowed by any rule, this shall constitute a violation. [PCC 17.16.040.A.2]

e. The use of air or other gaseous diluents solely for the purpose of achieving compliance with an opacity standard is prohibited. [PCC 17.16.040.A.3]

f. When the presence of uncombined water is the only reason for failure of a source to otherwise meet the requirements as specified in conditions 17 and 18, conditions 17 and 18 shall not apply. [PCC 17.16.040.B]

18. **Visibility**

[PCC 17.16.050.A & D]

a. The Permittee shall not cause, suffer, allow or permit operations or activities likely to result in excessive amounts of airborne dust without taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne.

b. The Permittee shall not cause, suffer, allow, or permit diffusion of visible emissions, including fugitive dust, beyond the property boundary line within which the emissions become airborne, without taking reasonably necessary and feasible precautions to control generation of airborne particulate matter. Sources may be required to cease temporarily the activity or operation which is causing or contributing to the emissions until reasonably necessary and feasible precautions are taken.

i. Condition 18.b shall not apply when wind speeds exceed twenty-five (25) miles per hour (using the Beaufort Scale of Wind-Speed Equivalents, or as recorded by the National Weather Service). This exception does not apply if control measures have not been taken or were not commensurate with the size or scope of the emission source.

ii. Condition 18.b shall not apply to the generation of airborne particulate matter from undisturbed land.

19. **Requirement to Obtain Activity Permits**

a. **Fugitive Dust Activity Permits**

The Permittee shall not conduct, cause or allow land stripping, earthmoving, blasting, trenching or road construction without first obtaining an activity permit from the Control Officer in accordance with PCC 17.14.040. [PCC 17.14.040]
b. *Asbestos Requirements for Demolition and Renovation Activities*

The Permittee shall not allow or commence demolition or renovation of any NESHAP facility, as defined in 40 CFR Part 61, Subpart M, National Emission Standards for Hazardous Air Pollutants – Asbestos, without first obtaining an activity permit from the Control Officer. Should this stationary source, pursuant to 40 CFR Part 61, Subpart M, become subject to asbestos regulations when conducting any renovation or demolition at this premises, then the Permittee or operator shall submit proper notification as described in 40 CFR Part 61, Subpart M and shall comply with all other applicable requirements of Subpart M. The Permittee shall keep a record of all relevant paperwork on file. [PCC 17.14.060 & 40 CFR 61, Subpart M]

c. *Open Burning Permits*

The Permittee shall not ignite, cause to be ignited, permit to be ignited, allow or maintain any open outdoor fire without first obtaining an activity permit from the Control Officer or delegated authority unless exempted under PCC 17.14.080.C. [PCC 17.14.080]

**Monitoring Requirements**  
[PCC 17.13.020.A.3]

20. *Visible Emissions (VE)*

If at any time, or while conducting an opacity check required by the Specific Conditions in this permit, the Permittee sees any plume or effluent from a facility source, that on an instantaneous basis, appears to exceed the opacity limit, or if visible emissions including fugitive dust, diffuse beyond the property boundary line, the Permittee shall investigate the source of the emissions and, if required take corrective action. If the plume persists, or the equipment, activity or operation which is causing or contributing to the emissions cannot be corrected or halted, the Permittee shall make a visual determination of the opacity in accordance with condition 17 when practicable. If the VE determination exceeds the applicable opacity limit, or if visible emissions, including fugitive dust, diffuse beyond the property boundary line, the Permittee shall report this as an excess emission in accordance with condition 2. [PCC 17.16.040 & PCC 17.16.50.B]

21. *Additional Monitoring*

Except as provided in conditions 19.b, 20, and 31, or as otherwise required by the Specific Conditions in §3 and §4, additional monitoring for compliance with the facility-wide standards in this section shall not be necessary. The Control Officer may ask the Permittee to conduct additional monitoring if the Control Officer has reasonable cause to believe a violation of the facility-wide standards has been committed.

**Recordkeeping Requirements**  
[PCC 17.13.020.A.4]

22. *Monitoring Records*  
[PCC 17.13.020.A.4.a]

The Permittee shall maintain records of required monitoring information. Records shall include at a minimum:

a. The date, time, and condition in the permit requiring the measurement, sampling, inspection, or observation;

b. The name of the person conducting the measurement, sampling, inspection or observation;

c. The particular piece of equipment, process, or area being measured, sampled, inspected or observed including a description of the operating conditions and monitoring techniques or methods used as applicable; and,
d. The results of the measurement, sampling, inspection or observation, including any discrepancy or excess emissions. If there are any monitoring discrepancies or excess emissions, the records shall include the corrective actions taken.

23. Record Retention

The Permittee shall retain records of all required monitoring and support information for at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records, and copies of all reports required by the permit.

24. Recordkeeping for Compliance Determination

The Permittee shall retain a copy of the permit onsite including all required monitoring records and support information for review by the Control Officer. In addition, all equipment identified in the permit equipment list shall be marked with a unique, clearly visible, and accessible ID to identify the piece of equipment. The Permittee shall be considered in compliance by demonstrating that sufficient information on the equipment and facility operations is periodically collected, recorded, and maintained to assure that the compliance status of any Specific Condition of this permit can be readily ascertained at any time.

25. Excess Emissions Reporting

The Permittee shall report to the Control Officer any emissions in excess of the limits established by this permit in accordance with condition 2.

26. Emissions Inventory Reporting

When requested by the Control Officer, the Permittee shall complete and submit an annual emissions inventory questionnaire. The questionnaire is due by March 31st or ninety days after the Control Officer makes request and inventory form available, whichever occurs later, and shall include emission information for the previous calendar year. The questionnaire shall be on a form provided by or approved by the Control Officer and shall include the information required by PCC 17.13.180.

27. Certification of Truth Accuracy and Completeness

All reports required by this permit shall contain certification by a responsible official of truth, accuracy and completeness. The certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Facility Changes

28. Permit amendments, permit revisions, and changes made without a permit revision shall conform to the requirements in Article II, Chapter 17.13 of Title 17. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in the permit.

29. Permit Revisions

In accordance with PCC 17.13.100, unless making a physical change to the facility or a change in the manner of operation of facility sources covered by this permit requiring a permit revision, or unless specifically prohibited in this permit, the Permittee may make facility changes as provided in conditions 30 and 31.
30. Written Notification

In accordance with PCC 17.13.110.C the Permittee may make certain changes to the facility without a permit revision if a written notice is provided to the Control Officer in advance of the changes. This provision includes any changes that have the potential to increase emissions more than 10% of the major source threshold (or 10 tons per year, or 2.28 lb/hr) for any conventional air pollutant but does not otherwise require a permit revision.

31. Facility Change Log

In accordance with PCC 17.13.110.B, the Permittee shall maintain a log of other facility changes that do not require a permit revision or written notice.

Testing Requirements

32. Except where otherwise specified in the Specific Conditions in this permit, the Permittee shall follow these provisions and test methods. Unless otherwise indicated, the methods and standards referenced below are from Appendix A of 40 CFR Part 60 or incorporated by reference in 40 CFR §60.17.

a. Opacity

When required, the opacity of visible emissions shall be determined by EPA Test Method 9, Appendix A, 40 CFR Part 60 or by EPA approved Alternate Method ALT-082 to monitor compliance with the opacity standards identified in this permit.

b. Fuel Sulfur Limitations

Documentation, such as tariff agreements or invoices or statements from the fuel supplier, showing the fuels delivered and verifying the fuel sulfur content is below applicable standards, shall be an acceptable means to demonstrate compliance with fuel sulfur limitations identified in this permit. If otherwise required or when requested by the Control Officer, the fuel sulfur content of fuels shall be determined using ASTM D129, D1266, D1552, D2622, D4294, D5453 or an equivalent for liquid fuels, and ASTM D1072, D3246, D4084, D4468, D4810, D6228, D6667, Gas Processors Association Standard 2377, or an equivalent for gaseous fuels.

c. Alternative Test Plan

The Permittee may submit an alternate and equivalent test method(s) for approval by the Control Officer that is listed in 40 CFR Subpart 60, Appendix A or is approved by the EPA as an alternative test method (See https://www.epa.gov/eme/broadly-applicable-approved-alternative-test-methods for a listing of approved alternate test methods).

d. Test Protocols and Guidelines

Should the Permittee desire, or be required, to conduct performance tests to demonstrate compliance with the standards contained in this permit, the Permittee shall contact the Control Officer for test methods, protocols, and guidelines.

e. Concealment

The Permittee shall not construct, install, erect, use, replace, modify, or operate an emission source so as to conceal an emission which would otherwise be a violation of a control standard. Concealment shall include:

i. The use of gaseous diluents to achieve compliance with an opacity standard or with a standards which based on the concentration of a pollutant in the gasses discharged to the atmosphere.
ii. Operating in a piecemeal fashion to avoid compliance with a standard that would otherwise apply to
the source on the basis of its size; and

iii. Operating in a manner, under conditions, or during such times that emissions cannot be observed.

f. **Enforcement**

Notwithstanding any other provision in this permit, any credible evidence or information relevant as to
whether the source would have been in compliance with applicable requirements if the appropriate
performance or compliance test or procedure had been performed can be used to establish whether or not
the Permittee has violated or is in violation of any standard or applicable emission limit in this permit.
§3 – FOSSIL FUEL FIRED INDUSTRIAL AND COMMERCIAL EQUIPMENT

In accordance with condition 46.b the provisions in this section are applicable to boilers, heaters, or other fuel fired equipment identified in the equipment list in Attachment 3. All provisions in this section are locally enforceable unless otherwise noted.

Emission Limitations and Standards

33. Operating Limitation

The Permittee shall burn only the following fuel subject to the following limitation:

a. Natural Gas

A naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or liquefied petroleum gas (LPG), as defined by the American Society for Testing and Materials in ASTM D1835; or a mixture of hydrocarbons that maintains a gaseous state at ISO conditions (i.e., a temperature of 288 Kelvin, a relative humidity of 60 percent, and a pressure of 101.3 kilopascals). Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 35 and 41 megajoules (MJ) per dry standard cubic meter (950 and 1,110 Btu per dry standard cubic foot); or propane or propane-derived synthetic natural gas. Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C₃H₈.

34. Opacity Limit

The opacity of plumes and effluents from fossil fuel fired industrial and commercial equipment shall not exceed 20%.

Compliance Determination

35. Operating Limitation

The Permittee may demonstrate that only commercially available natural gas fuel was fired by making available to the Control Officer for inspection, documentation, such as invoices or statements from the fuel supplier, showing that natural gas was purchased for use in the equipment. Alternatively, the demonstration may be made by actual inspection of the equipment showing that natural gas is plumbed to the equipment for firing.

36. Opacity Limit

The Permittee shall not be required to conduct visible emission check monitoring of the exhaust stack of equipment limited to firing gaseous fuel since the percent of opacity of visible emissions while combusting gaseous fuel is inherently low. The Permittee shall operate and maintain fossil fuel fired industrial and commercial equipment at all times - including periods of startup, shutdown, and malfunction - in a manner consistent with good air pollution control practices and consistent with manufacturer’s guidelines.
§4 – NESHAP for CI & SI RICE (Emergency Designated Engines)

In accordance with condition 46.c, the provisions in this section apply to the emergency designated reciprocating compression ignition internal combustion engines (RICE) identified in the equipment list in Attachment 3. All provisions of this section are federally enforceable unless otherwise noted.

Emission Limitations and Standards

37. Operating Limitation

a. The Permittee shall not operate the emergency stationary CI RICE more than 100 hours in any 12-consecutive month period for the purpose of maintenance and readiness testing, and non-emergency use as provided in condition 42. There is no time limit on the use of emergency engines in emergency situations.

b. The Permittee must install a non-resettable hour meter on each CI RICE if one is not already installed.

38. Management Practice Requirements

a. The Permittee must comply with the following management practice requirements for each CI RICE, except during periods of startup:

i. Change oil and filter every 500 hours of operation or annually, whichever comes first; and

ii. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.

iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

b. The Permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.

c. The Permittee has the option to utilize an oil analysis program as described in condition 43.c in order to reduce the frequency of the specified oil change requirement in condition 38.a.i.

39. MANAGEMENT PRACTICE REQUIREMENTS

b. The Permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.

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b. The Permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.

d. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in condition 38.a, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable in accordance with condition 2.
39. Fuel Limitation

Beginning January 1, 2015, if the Permittee owns or operates emergency CI RICE with a site rating of more than 100 brake HP and operates for the purpose specified in condition 42.c.i, the Permittee must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel (ultra-low sulfur diesel - ULSD), except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted. [40 CFR 60.6604(b)]

40. Opacity Limit


The opacity of emissions from the CI RICE shall not exceed the facility-wide opacity limits in condition 17.b. In addition, the Permittee shall not cause or permit to be emitted into the atmosphere from engines smoke for any period greater than ten consecutive seconds which exceeds 40 percent opacity. Visible emissions when starting cold equipment shall be exempt from this requirement for the first ten minutes.

[Federally Enforceable when opacity is above 40%]

41. General Compliance Requirements

a. The Permittee must be in compliance with the emission limitations, operating limitations and other requirements in this section at all times. [40 CFR 63.6605(a)]

b. The Permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, at all times, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by this section have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Control Officer which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.6605(b)]

42. Emergency Designation

The Permittee must operate the emergency RICE according to the requirements in conditions 42.a through c, as stated below. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in conditions 42.a through c, is prohibited. If the Permittee does not operate the engine according to the requirements in conditions 42.a through c, the engine will not be considered an emergency engine covered under this section and will need to meet all requirements for non-emergency engines. [40 CFR 63.6640(f)]

a. There is no time limit on the use of emergency RICE in emergency situations. [40 CFR 63.6640(f)(1)]

b. The Permittee may operate the subject emergency RICE as specified in condition 42.b for any combination of the purposes specified in conditions 42.b.i for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed in condition 42.c counts as part of the 100 hours per calendar year allowed by this condition 42.b. [40 CFR 63.6640(f)(2)]

i. The subject emergency RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The Permittee may petition the Control Officer for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the Permittee maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency CI RICE beyond 100 hours per calendar year. [40 CFR 63.6640(f)(2)(i)]
c. The Permittee may operate the subject emergency RICE up to 50 hours per calendar year in non-emergency situations, but those 50 hours are counted towards the 100 hours per calendar year provided for maintenance and testing provided in condition 42.b. Except as provided in condition 42.c.i, as stated below, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a permit to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 63.6640(f)(4)]

i. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [40 CFR 63.6640(f)(4)(ii)]

   (a) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.

   (b) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

   (c) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

   (d) The power is provided only to the facility itself or to support the local transmission and distribution system.

   (e) The Permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the Permittee.

Compliance Determination [PCC 17.13.020.A.3, 4 & 5]

43. Monitoring, Installation, Collection, Operation, and Maintenance Requirements

a. The permittee by shall record the monthly operating hours by means of installed non-resettable hour meter and recalculate a 12-consecutive month total within 10 days of the end of the month to monitor compliance with condition 37.a. The Permittee shall monitor the number of hours the engine operates for emergencies and what classified the operation as emergency, as well as the number of hours for maintenance and readiness testing, and for non-emergency demand response (if applicable) as provided in condition 42.c.i.

b. The Permittee must demonstrate continuous compliance with the requirements in condition 38 by operating and maintaining the engine and after-treatment control device (if any) according to the manufacturer's emission-related written instructions, or develop and follow a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6625(e)]

c. If the Permittee utilizes an oil analysis program in order to extend the specified oil change requirement in condition 38.a.1, the oil analysis must be performed at the same frequency specified for changing the oil. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the Permittee is not required to change the oil. If any of the limits are exceeded, the Permittee must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the Permittee must change the oil within 2 business days or before commencing operation, whichever is later. The Permittee must keep records of the parameters that are analyzed as part
of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. [40 CFR 63.6625(i) & Table 2d to Subpart ZZZZ of Part 63]

d. The Permittee shall be considered in compliance with the fuel limitations in condition 39 by demonstrating that only the specified fuel was fired in the subject engine. Such a demonstration may be made by making available to the Control Officer for his inspection, documentation, such as invoices or statements from the fuel supplier which verify the sulfur content of the fuel being delivered. [PCC 17.13.020.A.3.c] [Locally Enforceable Condition]

e. In order to demonstrate compliance with the opacity limits in condition 40, the Permittee shall conduct a visible emissions check on the exhaust stack of the CI RICE at least quarterly while the generator is operating. For the purposes of this condition, a visible emissions check is verification that abnormal emissions are not present at the generator stack. [PCC 17.13.020.A.3.c] [Locally Enforceable Condition]

44. Recordkeeping Requirements [PCC 17.13.020.A.3 & 4]

a. The Permittee shall maintain a log or record of the monthly operating hours and the recalculated 12-consecutive month totals. [Locally Enforceable Condition]

b. The Permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The Permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the subject engine is used for the purposes specified in condition 42.c.i, the Permittee must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. [40 CFR 63.6655(f)]

c. The Permittee must keep records of the maintenance conducted on the RICE in order to demonstrate that the Permittee operated and maintained the RICE and after-treatment control device (if any) according to the Permittee’s own maintenance plan. [40 CFR 63.6655(e)]

d. In order to demonstrate compliance with the fuel limitations in condition 39, the Permittee shall maintain records of fuel supplier specifications which verify the sulfur content of the fuel as delivered. [PCC 17.13.020.A.4] [Locally Enforceable Condition]

e. The Permittee shall maintain records of visible emissions checks/observations in condition 43.e. The Permittee shall record the date and time of the check, the name of the person conducting the check, the results of the check, and the type of corrective action taken (if required). [PCC 17.13.020.A.4] [Locally Enforceable Condition]

f. The Permittee’s records must be in a form suitable and readily available for expeditious review according to the following: [40 CFR 63.6660(a), 40 CFR 63.6660(b) & 40 CFR 63.10(b)(1)]

i. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

ii. At a minimum, the most recent 2 years of data shall be retained on site.

iii. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

g. The Permittee must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record. [40 CFR 63.6660 & 40 CFR 63.10(b)(1)]
45. **CI ICE operated in Demand Response Programs - Annual EPA Report Requirement**

For each emergency stationary RICE with a site rating of more than 100 brake HP that operates for the purpose specified in condition 42.c.i, the Permittee must submit an annual report according to the following requirements. The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in 40 CFR §63.13. The annual report must be submitted according to the following requirements:

- **a. The report must contain the following information:**
  - i. Company name and address where the engine is located.
  - ii. Date of the report and beginning and ending dates of the reporting period.
  - iii. Engine site rating and model year.
  - iv. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
  - v. Hours spent for operation for the purpose specified in condition 42.c.i, including the date, start time, and end time for engine operation for the purposes specified in condition 42.c.i. The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
  - vi. If there were no deviations from the fuel requirements in condition 39 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.
  - vii. If there were deviations from the fuel requirements in condition 39 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken.

- **b. The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31st of the following calendar year.**
§5 – SPECIFIC APPLICABILITY PROVISIONS

46. Facility Sources

The Specific Conditions in this permit apply to the following source categories, activities and operations:

a. §2 – Facility-Wide Operations

This section of the permit applies to facility-wide operations and to all sources of air contaminants at the facility unless exempted under condition 48 below. The facility-wide provisions in this section relate to the following: Operating hours, general control standards, materials and VOC handling, odor, opacity, visibility, and the requirement to obtain other activity permits as necessary. This section also contains specific monitoring, recordkeeping, reporting, facility change, and testing provisions that apply facility-wide and to all emission sources and operations covered by this permit.

[Federally and Locally Enforceable Conditions]

b. §3 – Fossil-Fuel Fired Industrial and Commercial Equipment (Boilers)

This section of the permit applies to fossil-fuel fired industrial and commercial installations identified in the permit equipment list which have a capacity less than seventy-three megawatts capacity (two hundred fifty million British thermal units per hour); but in the aggregate on any premises are rated at greater than five hundred thousand British thermal units per hour (0.146 megawatts); and in which fuel is burned for the primary purpose of producing steam, hot water, hot air or other liquids, gases or solids and in the course of doing so the products of combustion do not come into direct contact with process materials.

[Federally Enforceable Conditions]

i. Boilers, heaters, or other fuel fired equipment identified in the permit equipment list that comply with §3 of this permit shall be considered to be compliant with the all applicable requirements in PCC 17.16.165.

c. §4 – NESHAP for CI RICE (Emergency Designated Engines)

This section of the permit applies to each stationary CI RICE identified in the permit equipment list that is subject to 40 CFR Part 63, Subpart ZZZZ – NESHAP for Stationary Reciprocating Internal Combustion Engines ‘RICE’:

[Federally Enforceable Conditions]

i. Applicable to each existing, new or reconstructed stationary RICE at an area source as follows:

(a) A stationary RICE is “existing,” if construction or reconstruction was commenced before June 12, 2006:

   (i) For existing RICE listed in the equipment list, the Permittee must comply with the applicable requirements in §4 of this permit no later than May 3, 2013.

(b) A stationary RICE is “new” if construction was commenced on or after June 12, 2006. A stationary RICE is “reconstructed” if reconstruction as defined in 40 CFR 63.2 commenced on or after June 12, 2006:

   (i) For each new or reconstructed stationary CI RICE, the Permittee must meet the requirements by meeting the requirements of 40 CFR Part 60, Subpart III, for compression ignition engines. No further requirements apply for such engines.
47. **Local (New and Existing) Stationary Source Performance Standards**

Local performance standards apply to the following equipment or operations located at the facility: Fossil fuel fired industrial and commercial equipment, stationary rotating machinery (internal combustion engines); petroleum liquid storage tanks of at least 250 gallons and less than 40,000 gallons, any tank or container used to transport or store VOCs; all pumps or compressors which handle VOC’s, operations engaged in the employment of organic solvents, and any unclassified source.


**[Locally Enforceable Conditions]**

48. **Exempt Sources**

a. **Agricultural Equipment:** The Specific Conditions contained in this air quality permit shall not apply to agricultural equipment used in normal farm operations, unless their operation without a permit would result in a violation of the Act.

[PCC 17.11.090.C.3]

**[Locally Enforceable Condition]**

b. **Motor Vehicles:** The Specific Conditions contained in this air quality permit shall not apply to motor vehicles. **Motor Vehicles** means any self-propelled vehicle designed for transporting persons or property on public highways.

c. **Mobile Sources:** The Specific Conditions contained in this air quality permit shall not apply to mobile sources, except as provided in PCC 17.16.450 & 470, which applies to off-road machinery, and roadway and site cleaning machinery. **Off-Road machinery** includes trucks, graders, and other construction or mining machinery not normally driven on a completed highway.
ATTACHMENT 1 – APPLICABLE REGULATIONS

40 CFR, Part 60 Standards of Performance for New Stationary Sources (NSPS)

Appendix A  Test Methods

40 CFR, Part 63 National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP)

Subpart A  General Provisions
Subpart ZZZZ  NESHAP for Stationary Reciprocating Internal Combustion Engines

Pima County Code Title 17, Chapter 17.11 – General Provisions for Permits

Article I – General Provisions
17.11.010  Statutory Authority
17.11.020  Planning, Constructing, or Operating Without a Permit

Article II – General Provisions for Stationary Source Permits
17.11.060  Permit Display or Posting
17.11.120  Material permit condition
17.11.160  Test methods and procedures
17.11.210  Performance tests

Pima County Code Title 17, Chapter 17.13 – Individual and General Permits and Permit Revisions for Class II and Class III Permits

Article I – General Provisions
17.13.010  Application processing procedures
17.13.020  Permit contents

Article II – Permit Revisions, Renewals and Transfers for Class II and Class III Permits
17.13.100  Facility changes that require a permit revision
17.13.110  Procedures for certain changes that do not require a permit revision
17.13.130  Minor revisions
17.13.140  Significant revisions
17.13.150  Reopening, revocation, or termination

Article III – Emissions for Class II and Class III Sources
17.13.180  Annual Emissions Inventory Questionnaire
17.13.190  Excess Emissions reporting requirements

Article V – Fees for Class II, Class III, and General Permits
17.13.240  Fees related to Class II and Class III permits
Pima County Code Title 17, Chapter 17.14 – Activity Permits

17.14.040  Fugitive Dust Activity permits
17.14.060  Asbestos NESHAP activity permits
17.14.080  Open burning permits

Pima County Code Title 17, Chapter 17.16 – Emission Limiting Standards

Article I – General Provisions

17.16.010  Local rules and standards; Applicability of more than one standard
17.16.020  Noncompliance with applicable standards
17.16.030  Odor limiting standards

Article II – Visible Emission Standards

17.16.040  Standards and applicability (includes NESHAP)
17.16.050  Visibility limiting standard

Article IV – New and Existing Stationary Source Performance Standards

17.16.130  Applicability
17.16.165  Standards of performance for industrial and commercial equipment
17.16.340  Standards of performance for stationary rotating machinery
17.16.230.D Standards of performance for storage vessels for petroleum liquids
17.16.400.A Organic solvents and other organic materials
17.16.430.F Standards of performance for unclassified sources

Pima County Code Title 17, Chapter 17.20 – Emissions Source Testing and Monitoring

17.20.010  Source sampling, monitoring and testing
17.20.040  Concealment of emissions

Pima County Code Title 17, Chapter 17.24 – Emission Source Recordkeeping and Reporting

17.24.020  Recordkeeping for compliance determination
ATTACHMENT 2 – EMISSIONS DISCHARGE OPACITY LIMITING STANDARDS

PCC 17.16.040

<table>
<thead>
<tr>
<th>Type of Source</th>
<th>Instantaneous Opacity Measurements</th>
<th>Maximum Allowable Average Opacity, %</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Required No. (For a Set)</td>
<td>Excluded No. (Highest Values)</td>
</tr>
<tr>
<td>Cold Diesel Engines¹</td>
<td>25</td>
<td>0</td>
</tr>
<tr>
<td>Loaded Diesel Engines²</td>
<td>26</td>
<td>1</td>
</tr>
<tr>
<td>Other Sources³</td>
<td>25</td>
<td>0</td>
</tr>
</tbody>
</table>

¹ Applicable to the first 10 consecutive minutes after starting up a diesel engine.

² Applicable to a diesel engine being accelerated under load.

³ Any source not otherwise specifically covered within this table, unless otherwise specifically covered in this permit.
**ATTACHMENT 3 – EQUIPMENT LIST**

Equipment for which emissions are allowed by this permit:

**FOSSIL FUEL FIRED INDUSTRIAL AND COMMERCIAL EQUIPMENT (Ref. §3, pg. 11)**

<table>
<thead>
<tr>
<th>Equipment ID</th>
<th>Description/ Facility ID</th>
<th>MFR/Model</th>
<th>Serial Number/ Unique ID</th>
<th>Maximum Rated Capacity</th>
<th>Date of Manufacture</th>
<th>Allowable Fuel</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>Boiler/ Boiler #1</td>
<td>Clever Brooks CB-200-50</td>
<td>L89195</td>
<td>2.09 MMBtu</td>
<td>12/1/90</td>
<td>Natural Gas</td>
</tr>
<tr>
<td>02</td>
<td>Boiler/ Boiler #2</td>
<td>RITE WA650W</td>
<td>31397</td>
<td>6.5 MMBtu</td>
<td>2013</td>
<td>Natural Gas</td>
</tr>
</tbody>
</table>

**NESHAP for CI RICE (Emergency Designated Engines) (Ref. §4, pgs. 12-16)**

<table>
<thead>
<tr>
<th>Equipment ID</th>
<th>Description/ Facility ID</th>
<th>MFR/Model</th>
<th>Serial Number/ Unique ID</th>
<th>Maximum Rated Capacity</th>
<th>Date of Manufacture</th>
<th>Run Hour Limits ¹</th>
<th>Allowable Fuel</th>
</tr>
</thead>
<tbody>
<tr>
<td>03</td>
<td>Emergency CI ICE/ Gen. #1</td>
<td>Detroit Diesel 91237416</td>
<td>12E0009391</td>
<td>1500 hp</td>
<td>11/1/1989</td>
<td>100 hours</td>
<td>Diesel</td>
</tr>
<tr>
<td>04</td>
<td>Emergency CI ICE/ Gen #2</td>
<td>Detroit Diesel 91237416</td>
<td>12E0009404</td>
<td>1500 hp</td>
<td>11/1/1989</td>
<td>100 hours</td>
<td>Diesel</td>
</tr>
</tbody>
</table>

¹ The operating hours are limited to maintenance testing and readiness checks, and up to 50 hours of non-emergency operation. There is no limit on hours of operation during true emergencies.
For the purpose of this permit, the following equipment or operations have been determined by the control officer, because of their size or production rate, to be de minimus emission sources and/or insignificant or trivial activities in accordance with PCC 17.04.340.A.(114).

<table>
<thead>
<tr>
<th>Description</th>
<th>Maximum Rated Capacity</th>
<th>Fuels Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscaping, building maintenance, or janitorial services.</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Gasoline storage tanks with a throughput less than 1000 gallons/month; provided such tanks are not otherwise affected gasoline dispensing facilities subject to NESHAP - Subpart CCCCCC; and tanks &gt; 250 gal. are equipped with a submerged filling device, or acceptable equivalent, for the control of hydrocarbon emissions in accordance with PCC 17.16.230.B.</td>
<td>≤ 10,000 gallons</td>
<td>Gasoline</td>
</tr>
<tr>
<td>Diesel or Fuel Oil Storage Tanks including tanks storing low vapor pressure liquids such as virgin oil, flush oil, anti-freeze, et. al.</td>
<td>≤ 40,000 gallons</td>
<td></td>
</tr>
<tr>
<td>Hand-held or manually operated equipment used for buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning of ceramic art work, precision parts, leather, metals, plastics, fiberboard, masonry, carbon, glass or wood.</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Powder Coating Operations</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Lab equipment used exclusively for chemical and physical analyses. Including the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- hoods, digestion ovens &amp; equipment, benchtop activities, leach test equipment, spectrometers, sieve shakers, crushers, grinders, mills, and other emissions from testing and sampling.</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Operation of cooling water, plant water, wastewater, and other water systems. Including the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- facility cooling towers, clarifier, flow tanks, boron tank, wastewater holding tanks</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Operation of stationary natural gas fired appliances rated less than 1.0 MMBtu/hr provided the combined capacity of such equipment does not exceed 10.0 MMBtu.</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Internal combustion (IC) engine-driven compressors, IC engine-driven electrical generator sets, and IC engine-driven water pumps used only for emergency replacement or standby service. <strong>Note:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portable or temporary internal combustion engines (ICE) or other non-road engines that operate, or are planned for operation, at a location for more than 12 months shall be subject to stationary source permitting requirements. Portable ICE used or located at a facility, may be required to keep records to document when the ICE is transferred to or from the facility, or alternate locations at the facility, and/or storage areas in order to establish they are not subject to stationary permitting requirements.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portable ICE that are used to replace another ICE at a location and intended to perform the same or similar function shall include the time period of both engines to determine the consecutive time period for purposes of stationary ICE permitting. Notwithstanding the previous statement, a portable ICE shall not be required to meet the NSPS or NESHAP ICE requirements for stationary sources when used as an emergency replacement to a stationary ICE while the facility effects repairs or while ordering a replacement unit, unless the facility intends for the replacement portable ICE to be permanent or if the portable ICE is owned by the Permittee and used for the sole purpose as a backup or spare to existing permitted stationary ICE.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portable ICE used to replace a stationary permitted ICE shall be limited by the same run hour limits (if any) applicable to the replaced unit at that location. The balance of permitted run hours shall continue to accrue with the operation of the replacement unit. When used for this specific purpose, the Permittee shall be required to keep records of the run hours and emissions of the portable ICE for emission inventory purposes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trivial activities as provided in PCC 17.04.340.A.237a through xx.</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>